REMARKS

This amendment is in reply to the Office action of January 8, 2008. Claim 18 is amended. Claims 1-18 are pending. Applicants request reexamination and reconsideration of the application

In sections 1-3 of the Office action, the examiner rejects claims 1-18 as being unpatentable over U.S. Patent No. 6,510,439 B1 to Rangarajan et al. (Rangarajan) and U.S. Patent Publication No. 2002/0032701 A1 to Gao et al. (Gao) and collectively (the references).

Specifically, the examiner asserts (1) Rangarajan teaches a client-side caching system except for a client-side script that automatically re-requests a resource, (2) Gao teaches such a client-side script and (3) It would have been obvious to combine them since it is more efficient to run the script on the client.

Applicants briefly respond below:

1) Contrary to the Office action, Rangarajan fails to a teach a client-side caching system. First, Rangarajan never uses the term: "cache" or "caching" or "client cache" or "client-side cache" anywhere. Further, contrary to the Office action, Rangarajan's col. 7, lines 8-44 and col. 9, line 65 - col. 10, line 11 do not describe a client-side caching system. There is simply no discussion of a client cache in Rangarajan.

2) Rangarajan's EXPIRES field also does not imply a client-side caching system. Rangarajan's state management server only sets the time of the EXPIRES field in a *cookie* so the client can discard the *cookie* when the EXPIRES time lapses (See Rangarajan's col. 9, line 65 - col. 10, line 11).

3) Rangarajan's EXPIRES time is *not* used to estimate when a *document* in client cache can be safely retrieved or should be discarded, but only to estimate

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1 when a *cookie that is used exclusively on the server-side should be discarded or*

2 *reused to identify documents stored on the server.*

3   4) Because Rangarajan fails to describe a client-side caching system, the

4 Office action falls to present a rational underpinning to support the conclusion of

5 obviousness.

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7   5) Yet in *KSR International Co. v. Teleflex Inc.* 126 S.Ct. 1837 (2006) the U.S.

8 Supreme Court requires that examiners state "some articulated reasoning with

9 some rational underpinning to support the legal conclusion of obviousness." The

10 Supreme Court left undisturbed the requirement an examiner must present a

11 "convincing line of reasoning supporting a rejection." MPEP 2144.

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13   6) The argument that Rangarajan uses a cookie to retrieve the most recent

resource from a client cache also lacks a rational underpinning, because

14 *Rangarajan retrieves each document from the server.* It is erroneous to state

15 Rangarajan describes retrieving a document from the client cache. Briefly,

16 Rangarajan's state management server 12 compares the cookie value to the data

17 of the registration table 13 each time on the *server-side* to find the last accessed

18 group of documents (See Rangarajan's Figure 1 and col. 4, line 17 to col. 7, line

19 44).

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21   7) In addition, Rangarajan's retrieval of each document from the server

22 wastes network bandwidth and increases page latency compared to our client-

23 side caching system.

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25   8) Further, contrary to the Office action, Rangarajan's server does not send

26 a client-side script in a response to the client.

27   9) Gao also fails to describe our client-side caching system and fails to

28 describe a client-side script that causes the client to *automatically re-request the*

29 *resource.* Gao's does not *re-request* a resource. Instead, Gao requests a first

30 displayed web page (the resource) then requests another resource, a non-

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displayed second page, referred to as a phantom page, to update *additional element(s)* of the first displayed web page (See Gao's Figure 5 and paragraphs [0047- 0050]).

10) Rangarajan and Gao fail to *automatically re-request a resource*. Only our client-side script causes the client to automatically re-request the resource (e.g. web page) (See our published application's paragraphs [0041- 0051]).

11) *Because these claim limitations are absent in Rangarajan and Gao, they cannot establish a prima facie case of obviousness.* That is, the references clearly fail to disclose a client-side script that appends the cookie value to the request for a resource such that the client automatically re-requests the resource with the appended cookie value so that if the most recent version of the resource is in the client cache, the resource is retrieved from the client cache rather than from the server, and if not, the resource is retrieved from the server as recited in claim 1.

12) *In re Fine,* 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) held a reference did not render the claimed combination prima facie obvious because *the examiner ignored that a claim limitation was absent in the reference.*

13) The examiner's proposes to shift Rangarajan's server-side operation to the client-side for efficiency, but doesn't address our previous arguments how it destroys Rangarajan's function to provide coherent access to users of different versions of documents on an *HTTP server* (See page 9, lines 16 - page 10, line 7 in our amendment mailed April 19, 2007). And no evidence is given why running a script on a client is more efficient than on a server. *In re Gordon,* 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984) held an obviousness rejection based on a modification of a reference that destroys its intent, purpose, or function was improper since there would have been no technological motivation for such a modification.

In view of the above, claim 1 is allowable over Rangarajan and Gao.

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Claims 2-4 are allowable based on their dependency on allowable claim 1.

Contrary to the Office action on pages 4-5, Rangarajan and Gao do not teach claims 5-7 for the reasons discussed in connection with claim 1.

Claim 8 is allowable based on its dependency on allowable claim 1.

Contrary to the Office action on pages 6-8, Rangarajan and Gao do not teach the claims 9-14 for reasons similar to that discussed in connection with claim 1.
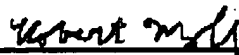
Contrary to the Office action on pages 8-9, Rangarajan and Gao do not teach claims 15-17 as discussed in connection with claim 1.

Contrary to the Office action on pages 9-10, Rangarajan and Gao do not teach claim 18 for reasons similar to that discussed in connection with claim 1.

It is submitted the application is in condition for allowance.

As agreed during a teleconference with the undersigned on July 2, 2008, the examiner and applicants will conduct an interview to discuss this amendment and address any questions. Please send an email to the address below to state the most convenient time for this interview.

Respectfully submitted,

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